



Information Rights

bbc.co.uk/foi bbc.co.uk/privacy



23 November 2018

Dear 

Freedom of Information request – RFI20181931

Thank you for your request to the BBC of 22nd October 2018, seeking the following information under the Freedom of Information Act 2000:

"This is a Freedom of Information Request.

I am interested in the following information relating to the NewsXchange 2018 event in Edinburgh. <http://www.newsxchange.org/home.html>

- 1. The BBC is listed as a "co-host" to the event. Please provide any materials that outline what this status practically entails.*
- 2. What financial commitment has the BBC made to supporting the organisation of this event?*
- 3. A number of BBC staff are participating in the event, with Chris Gibson named as Executive Producer of the event. Please estimate the hours and value of staff time that the BBC has committed to this event and provide copies of any materials where this commitment was authorised.*
- 4. Please provide copies of all correspondence between BBC staff, the EBU organising committee, and other participants in the event that relates to the participation of Steve Bannon in the event.*
- 5. Please supply any material held by the BBC or BBC staff that relates to any fee paid to Bannon for participation, travel or subsistence, linked to the event."*

Please see the BBC's response below:

1. The BBC is listed as a "co-host" to the event. Please provide any materials that outline what this status practically entails.

The European Broadcasting Union (EBU) is the world's leading alliance of public service media. News Xchange is an annual EBU conference 'hosted' by a different member organisation each year. The EBU asks co-hosts to supply a limited number of staff and equipment to help produce and film the conference. As a co-host, the BBC did not make any financial contributions to the event.

2. What financial commitment has the BBC made to supporting the organisation of this event?

The BBC has not made any financial commitment.

3. A number of BBC staff are participating in the event, with Chris Gibson named as Executive Producer of the event. Please estimate the hours and value of staff time that the BBC has committed to this event and provide copies of any materials where this commitment was authorised.

After careful consideration and internal consultation, we estimate that the cost of complying with this aspect of your request will exceed the "appropriate limit". Under section 12 of the Act, we are not obliged to comply with a request for information if, in our estimation, compliance would exceed "the appropriate limit" - set under regulation 3(3) of Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 ('the Regulations') as being £450 (equivalent to two and a half days' work, at an hourly rate of £25). For these reasons we cannot comply with this part of your request.

4. Please provide copies of all correspondence between BBC staff, the EBU organising committee, and other participants in the event that relates to the participation of Steve Bannon in the event.

The information you have requested in this question is excluded from the Act because it is held for the purposes of 'journalism, art or literature.' The BBC is therefore not obliged to provide this information to you and will not be doing so on this occasion. Part VI of Schedule 1 to FOIA provides that information held by the BBC and the other public service broadcasters is only covered by the Act if it is held for 'purposes *other* than those of journalism, art or literature". The BBC is not required to supply information held for the purposes of creating the BBC's output or information that supports and is closely associated with these creative activities¹.

¹ For more information about how the Act applies to the BBC please see the enclosure which follows this letter.

Please note that this guidance is not intended to be a comprehensive legal interpretation of how the Act applies to the BBC.

The limited application of the Act to public service broadcasters was to protect freedom of expression and the rights of the media under Article 10 European Convention on Human Rights (“ECHR”). The BBC, as a media organisation, is under a duty to impart information and ideas on all matters of public interest and the importance of this function has been recognised by the European Court of Human Rights. Maintaining our editorial independence is a crucial factor in enabling the media to fulfil this function.

The EBU have made the following statement:

“The decision to invite a guest to speak at News Exchange is made on the basis of the relevance and importance of the issue they will discuss. With every speaker, we challenge and debate views and positions, and we give our audience the opportunity to do the same. An invitation to speak is not an endorsement of any position or viewpoint.

News Xchange is a journalism conference which seeks to explore the main industry trends and challenges delegates to understand the wider political and social context. Steve Bannon is a key influencer in the rise of populism – one of the dominant political trends of our times. He has been invited to speak at News Xchange this year because his views are relevant to today’s society at large and therefore to the media industry. We also consider it our journalistic responsibility to share and scrutinise a range of relevant viewpoints within the framework of a balanced debate. He will be interviewed about his views by a BBC journalist, followed by an open Q&A with delegates.”

The BBC also made the following statement:

“News Xchange is an annual EBU journalism conference which the BBC and other broadcasters support to make happen. Steve Bannon was invited on behalf of the EBU’s News Xchange committee. Good journalism in a world of fake news and disinformation is more vital than ever. Journalism is about asking tough questions and understanding what is happening in the world and why. A conference designed to analyse the big issues impacting that world isn’t an endorsement of anyone or anything – it is a function of what journalism is.”

5. Please supply any material held by the BBC or BBC staff that relates to any fee paid to Bannon for participation, travel or subsistence, linked to the event.”

The BBC does not hold this information.

For your benefit, the European Broadcasting Union has explained the following:

“Steve Bannon will not be paid a speaker’s fee for appearing on stage at News Xchange. As with all our speakers, the News Xchange covers the cost of the flight or train travel, accommodation (incidentals excluded) and transport to the venue.”

Appeal Rights

If you are not satisfied that we have complied with the Act in responding to your request, you have the right to an internal review by a BBC senior manager or legal adviser. Please contact us at the address above, explaining what you would like us to review and including your reference number. If you are not satisfied with the internal review, you can appeal to the Information Commissioner. The contact details are: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate) or see <http://www.ico.org.uk/>.

Please note that the BBC does not offer an internal review when the information requested is not covered by the Act. If you disagree with our decision you can appeal to the Information Commissioner. Please note that should the Information Commissioner’s Office decide that the Act does cover this information, exemptions under the Act might then apply.

Yours sincerely,

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